

**DECISION MEMO: SPIRIT OF SACRAMENTO**

**INCIDENT NAME: SPIRIT OF SACRAMENTO**

**FPN A16024**

**DATE: 26 SEPTEMBER 2016**

**INCIDENT COMMAND POST LOCATION: SECTOR SAN FRANCISCO (1 Yerba Buena Island, San Francisco, CA, 94130)**

**REVIEW / APPROVALS:**

Reviewed by CG IC: \_\_\_\_\_ Date: \_\_\_\_\_  
LCDR Rhianna Macon, USCG

Reviewed by SOSOC: \_\_\_\_\_ Date: \_\_\_\_\_  
Warden Ryan Rodriguez, OSPR

Reviewed by LGOSC: \_\_\_\_\_ Date: \_\_\_\_\_  
Sergeant Mike Berry, Contra Costa County

Reviewed by EPA OSC: \_\_\_\_\_ Date: \_\_\_\_\_  
Chris Reiner, EPA

Reviewed by USACE: \_\_\_\_\_ Date: \_\_\_\_\_  
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Marty Pilsch, USACE

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Digitally signed by PLISCH.MARTY.LEE 1212379359  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=PLISCH.MARTY.LEE 1212379359  
Date: 2016.09.28 05:50:34 -0700

1. This decision memo memorializes the discussion and agreement reached with respect to pollution response and the ultimate disposition of the M/V SPIRIT OF SACRAMENTO. Parties participating in the agreement include representatives from the following organizations: United States Coast Guard (USCG), United States Environmental Protection Agency (EPA), United States Army Corps of Engineers (USACE), California Department of Fish and Wildlife Office of Spill Prevention and Response (OSPR), and Contra Costa County Sheriff's Department (Contra Costa County).
2. The SPIRIT OF SACRAMENTO sank and capsized in Frank's Tract near Bethel Island, Contra Costa County California on or about 4 September 2016, reportedly with 600 gallons of diesel fuel remaining onboard. The vessel has a total fuel capacity of 4,500 gallons. Based on the threat of discharge of pollution posed by the vessel in its current state, the vessel has been determined to pose a significant and substantial threat to the environment.
3. In order to respond to the pollution threat posed by the sunken vessel, a Unified Command (UC) has been established comprised of the USCG, USACE, EPA, OSPR and Contra Costa County. The UC has collaborated to discuss environmental concerns, develop strategies to mitigate the pollution threat to the environment, and determine disposal mitigations. The following option has been identified as the best method to remove the threat of pollution and ensure appropriate disposition of the vessel under each participating agency's unique authorities:

- a. In accordance with the approved Incident Action Plan, the USCG will refloat the vessel and arrange transportation to the USACE facility in Sausalito, California in order to accomplish the safe removal of petroleum products.
- b. After all petroleum products have been safely removed, the EPA will remove remaining hazardous materials from the vessel as agreed to by the EPA OSC and Contra Costa County.
- c. Once the EPA has determined hazardous materials have been removed, Contra Costa County will accept the vessel for final disposition in accordance with all applicable federal and state regulations.
- d. USACE will provide a facility for operations as per the property agreement and within a timeframe not to impede with on-going operations at the Sausalito facility, until the vessel is removed by Contra Costa County.

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Copy: U.S. Environmental Protection Agency Region IX  
U.S. Army Corps of Engineers  
Contra Costa County Sheriff's Office  
California Department of Fish and Wildlife Office of Spill Prevention and Response